

**United States District Court  
Southern District of Ohio  
Western Division**

United States of America,

Plaintiff,

No. C-1-01-541  
(Beckwith, J.; Black, M.J.)

vs.

Buford F. Houck, et al.,

Defendants.

**ORDER**

This case is before the Court on Plaintiff's response to the Order to Show Cause and Plaintiff's motion for an extension of time in which to complete discovery. (Docs. 55, 56).

On June 8, 2004, the Court ordered Plaintiff to show cause in writing, no later than June 21, 2004, why this case should not be dismissed for failure to prosecute. (Doc. 54). Thereafter, on June 21, 2004, Plaintiff filed its response to the Court's show cause Order along with a motion for an extension of time until October 22, 2004 in which to complete discovery. (Docs. 55, 56). The Plaintiff also filed its Motion for Partial Summary Judgment (doc. 57), seeking to reduce its claims for money to judgment, but reserving its claims for foreclosure for later motion or trial, after completion of an additional 120 days of discovery.

While Plaintiff's explanations for the delay in prosecuting this case are not especially persuasive, the Plaintiff's filing of a potentially dispositive motion on its claims for money finally moves the case forward. Accordingly, the Court finds that the Order to Show Cause (doc. 54) is **SATISFIED**. Moreover, for good cause shown, Plaintiff's motion for an extension of time for discovery (doc. 56) is **GRANTED**, and the discovery deadline is extended to October 22, 2004. However, given the age of this case, the Court will not likely grant Plaintiff any further extensions of time.

Further, **by November 22, 2004**, Plaintiff shall either file a dispositive motion on its claims for foreclosure or shall move the Court for the scheduling of a trial date.

**SO ORDERED.**

Date: June 23, 2004

s/ Timothy S. Black  
Timothy S. Black  
United States Magistrate Judge